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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Docket No. DN2002-152
Manoj Ajbani, et al)	Art Unit: 1773
For: OVERMOLDED GRIP)	Examiner: Jackson, Monique R.
Serial No. 10/672,675)	
Filed: September 26, 2003)	
)	
)	

Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

AFFIDAVIT UNDER 37 C.F.R. §1.132

Dear Sir:

Dr. Frank J. Feher, being first duly sworn, deposes and says:

(1) I received a B.S. degree in Chemistry from Rensselaer Polytechnic Institute in 1980. I further received a Ph.D. in Chemistry from University of Rochester in 1984. After receiving my PhD, I attended University of Bristol and worked as a Postdoctoral Fellow until 1985. From 1985 until 2002, I was a Professor of Chemistry at the University of California in Irvine. In 2002, I began working at The Goodyear Tire & Rubber Company as a Senior R&D Associate in the Chemical Division. I was subsequently promoted to Manager of Advanced Materials and then to Manager, Polymer Technology. I am currently a Senior R&D Associate in the Tire Technology Division.

(2) I am familiar with the subject matter described and claimed in the subject patent application (United States Patent Application Serial No. 10/672,675). I am also familiar with the research that led to the conception and reduction to practice of the invention being claimed in the subject patent application.

(3) Claims 1 and 47 now pending in the subject patent application (Serial No. 10/672,675) call for a soft thermoplastic composition that is comprised of (a) 15 to 30 parts by weight of a thermoplastic resin, (b) 20 to 40 parts by weight of a rubbery polymer, (c) 25 to 60 parts by weight of a highly saturated rubbery polymer, and (d) 20 to 70 parts by weight of an oil. Claim 26 as amended calls for a soft thermoplastic composition that is comprised of (a) 15 to 25 parts by weight of a thermoplastic resin, (b) 45 to 55 parts by weight of a rubbery polymer, (c) 25 to 35 parts by weight of a highly saturated rubbery polymer, and (d) 20 to 70 parts by weight of an oil. Accordingly, the claims now pending in the subject patent application specify the level of oil in parts by weight relative to the total weight of the soft thermoplastic composition.

(4) I have reviewed the teachings of United States Patent 6,723,776 (Sakaki et al.). This patent relates to a low-modulus polymer composition that contains a relatively high level of oil. More specifically, Sakaki indicates that his polymeric compositions contain at least 200 parts by weight oil, preferably 250 parts by weight oil, and more preferably 300 parts by weight oil, based upon 100 parts by weight of polymeric components in his composition (see Sakaki at column 6, lines 9-21). Accordingly, the teachings of Sakaki disclose the importance of including at least 200 parts by weight oil per 100 parts by weight of polymeric components (the thermoplastic resin, rubber component, and olefin polymer). Sakaki does not suggest or imply that compositions containing less than 200 parts by weight of oil per 100 parts by weight of polymeric components would be useful for any purpose.

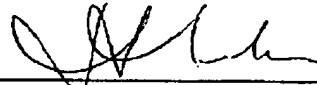
(5) The low-modulus polymer compositions of Sakaki contain at least 200 weight percent of oil, based upon the total weight of polymeric components in the composition. This is in contrast to the soft thermoplastic elastomer compositions now being called for in claims 1 and 47 of the subject patent application which contain a maximum of 117 weight percent oil, based upon the total weight of polymeric components in the composition. I reached this conclusion by assuming that the soft thermoplastic elastomer composition contains the maximum permissible level of oil (70 parts by weight) and that the polymeric components are all present at the minimum permissible levels (15 parts by weight polyolefin resin, 20 parts by weight rubbery polymer, and 25 parts by weight highly saturated elastomer). Accordingly,

$$\frac{70}{15 + 20 + 25} = \frac{70}{60} = 1.17 = 1.17 \text{ weight percent oil}$$

(6) That maximum level of oil that can be in the soft thermoplastic elastomer composition called for in claim 26 of the subject patent application is only 82 weight percent, based upon the total weight of polymeric components in the composition. I reached this conclusion by assuming that the soft thermoplastic elastomer composition contains the maximum permissible level of oil (70 parts by weight) and that the polymeric components are all present at the minimum permissible levels (15 parts by weight polyolefin resin, 45 parts by weight rubbery polymer, and 25 parts by weight highly saturated elastomer). Accordingly,

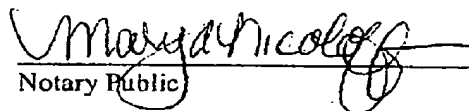
$$\frac{70}{15 + 45 + 25} = \frac{70}{85} = .82 = 82 \text{ weight percent oil}$$

Further affiant sayeth not.



Dr. Frank J. Feher

Sworn to before me and subscribed in my presence, this 26th day of February
2007.


Notary Public

MARY A. NICOLOFF
Notary Public, State of Ohio
My Commission Expires 11-24-07